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Art Unit 3624  
Docket no. 8771.00

#### REMARKS

This Amendment is submitted in response to the Office Action mailed on April 5, 2006. Claims 30, 31 and 33 - 35 are pending, and all stand rejected at present.

Dependent claims 36 - 53 are added. No fee is due.

Support for the added claims is found in the Specification at the following locations, and others.

CLAIMS	LOCATION OF SUPPORT
36, 37	Page 2, lines 4 - 8; page 7, line 20 et seq.; page 14, lines 8 - 12; and original claim 1.
38	Page 2, lines 3 - 10.
39	Page 2, line 22.
40	Page 2, lines 21, 22.
41	Page 2, lines 21, 22; original claim 30; and definition of "medium" in context of Specification.
42, 43	Page 2, lines 4 - 8; page 7, line 20 et seq.; page 14, lines 8 - 12; and original claim 1.
44	Page 2, lines 3 - 10.
45	Page 2, line 22.
46	Page 2, lines 21, 22.
47	Page 2, lines 21, 22; original claim 30; and definition of "medium" in context of Specification.

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48, 49	Page 2, lines 4 - 8; page 7, line 20 et seq.; page 14, lines 8 - 12; and original claim 1.
50	Page 2, lines 3 - 10.
51	Page 2, line 22.
52	Page 2, lines 21, 22.
53	Page 2, lines 21, 22; original claim 30; and definition of "medium" in context of Specification.
54	Page 2, lines 4 - 8; page 4, lines 16 - 23; page 1, lines 5, 6.
55	Same as claim 37.
56	Page 10, line 4 et seq.

#### RESPONSE TO ANTICIPATION REJECTIONS

Claims 31, 32, and 33 - 35 were rejected on grounds of anticipation, based on Whigham, US Patent 6,584,309.

##### Point 1

The claims have been amended to recite a **financial** terminal. Whigham shows a generic vending machine, which is not a **financial** terminal.

##### Point 2

The claims recite dispensing of "valuable media" to a

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customer. The Office Action states that "the Examiner interprets valuable media to include any information printed on the vended item."

Applicant points out that the Whigham is clearly discussing a generic vending machine, which dispenses candy, gum, cigarettes, soft drinks, and so on. The Office Action, in effect, is stating that the **printing** on a wrapper/package/bottle dispensed by the vending machine corresponds to the claimed "valuable media."

Applicant submits that common sense precludes this interpretation. Applicant points out that the wrapper/package/bottle is discarded as soon as the product contained therein is consumed.

Therefore, any printing on the wrapper/package/bottle cannot be considered as "valuable media," because the wrapper/package/bottle is considered trash.

Restated, a customer would not toss "valuable media" into the trash. Yet that is what the customer in Whigham does.

Restated again, the item of value to the customer in Whigham is the **contents** of the wrapper/package/bottle. It is the **contents** which the customer pays for, as again shown by the fact that the customer discards the wrapper/package/bottle when the contents are consumed.

Therefore, Applicant submits that any printing on the wrapper/package/bottle cannot be considered as "valuable media."

**Point 3**

The term "media" in "valuable media" clearly refers to a "medium of exchange." The Specification, page 2, lines 21 - 22, provides some examples: "banknotes, stamps, telephone cards, ski passes, or such like."

In all these examples, the "media" are designed to be exchanged for goods or services at a later time.

That is not so in the case of Whigham. The printed matter in Whigham is part of a package which is discarded, and which is not exchanged. Whigham's printed matter is not a medium of exchange.

**Point 4**

It is possible that a vending machine can dispense stamps, which could be considered a medium of exchange. However, that has not been shown in the prior art.

**Point 5**

The claims in question all contain a recitation to the effect that the self-service terminal receives a "request" from a wireless communication device.

Whigham requires a cell phone to dial a server, which then issues a "vend code" to a vending machine, causing the latter to dispense a product. (Column 1, lines 47 - 58; column 2, lines 33

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- 54.) That operation does not correspond to the claim recitation just identified. Whigham's vending machine does not receive a request from a wireless communication device.

It is true that Whigham does state that the customer's cell phone can send a vend code directly to the vending machine. (Column 2, line 23 et seq.) However, in this case, Whigham does not state how the customer then pays for the vended product. Thus, in this case, Whigham is inoperative, and thus non-enabling.

For a reference to be anticipatory under section 102, the reference must be enabling. (See Patents by D. Chisum, sections 3.06(1)(a) and 304(1).)

Therefore, Applicant submits that

-- Whigham discloses an embodiment wherein a "server" issues the "vend code" to a vending machine. That does not show the claim recitation of a "wireless communication device" sending a "request" to a self-service terminal.

-- Whigham does mention a cell phone sending a vend code directly to a vending machine. But he does not state how the customer pays for the vended product in this case. Whigham is non-enabling for this case, and thus cannot anticipate.

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### **Conclusion**

Applicant submits that Whigham does not anticipate the claims in question.

#### **re: ADDED DEPENDENT CLAIMS**

##### **Claims 36, 42, and 48**

These claims state that a keypad is not present. Whigham states that a keypad can be provided. (Column 2, line 3.) Thus, Whigham does not anticipate.

##### **Claims 37, 43, and 49**

These claims state that a video display is not present.

Whigham states that his vending machine displays the products which are available. (Column 2, line 58 et seq.) He states that "products" also include services. (Column 3, line 54 et seq.)

He states that information is displayed on, or adjacent to, the vending machine, which information describes the products available, and how to purchase them. (Column 5, line 56 et seq.) Applicant points out that it is well known that the products contained in, and their prices, periodically change. Thus, this "information" must periodically change.

Applicant thus submits that Whigham can reasonably be interpreted as including a video display, to accommodate the

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changing products/prices. That is contrary to these claims.

**Claims 38, 44, and 50**

These claims state "wherein all communication between the portable communication device and the terminal passes through a wireless communication port on the terminal."

Whigham states that the customer dials a server, which then communicates with the vending machine, over a network. (Column 5, line 66 et seq.) That is contrary to this claim recitation.

**Claims 39, 45, and 51**

These claims state that the terminal dispenses currency. That has not been shown in Whigham.

**Claims 40, 46, and 52**

These claims state that "the valuable media comprise banknotes, telephone cards, or ski passes." That has not been shown in Whigham.

**Claims 41, 47, and 53**

These claims state that the valuable media comprise a medium of exchange. A medium of exchange is used to later purchase goods or services. That has not been shown in Whigham.

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**Claim 54**

Claim 54 states that

- i) the SST comprises an automated teller machine,
- ii) the SST presents no keypad to a customer, and
- iii) the valuable media comprises currency.

These recitations have not been shown in Whigham.

**Claim 55**

The discussion of claims 37, 43, and 49 applies here.

**Claim 56**

Claim 56 states that the wireless device displays screens of options offered by the ATM. That has not been shown in Whigham.



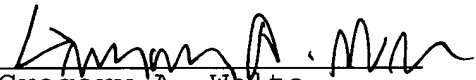
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**CONCLUSION**

Applicant requests that the rejections to the claims be reconsidered and withdrawn.

Applicant expresses thanks to the Examiner for the careful consideration given to this case.

Respectfully submitted,

  
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